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5822-P1-01-CA

#3

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : Booth et al.

EXAMINER : Not yet assigned

SERIAL NO. : 10/021,633

ART UNIT : 1625

FILED : December 12, 2001

PAPER NO : 1

FOR : AMIDE INHIBITORS OF MICROSOMAL TRIGLYCERIDE TRANSFER
PROTEIN

Response to Notification of Missing Requirements Under 37 CFR 1.53(b)

Commissioner for Patents
Box PCT
Washington, D.C. 20231

Dear Sir:

This paper is in response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office, dated January 2, 2002. In the Notification of Missing Requirements, the Office has indicated that the Applicant has not submitted the Oath and Declaration of the inventors, in compliance with 37 CFR 1.497 and has required that the Applicant furnish same in order to complete the requirements for acceptance under 35 U.S.C. 371.

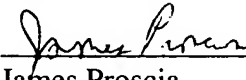
The Applicants have enclosed the required Oath and Declaration. As such, the Applicants respectfully submit that the requirements have been met and request acceptance of the above-identified application under 25 U.S.C. 371.

It is understood by the Applicants that under 37 CFR 1.16(I) this paper requires a fee of \$130.00. Authorization is given to charge this fee and any other necessary filing fees or credit any overpayment to Deposit Account 23-0455.

The Applicants submit that this application is now in condition for allowance, which allowance is respectfully solicited.

Dated: 1/24/02

Respectfully submitted,


James Proscia
Registration No. 47,010
Warner-Lambert Company
2800 Plymouth Road
Ann Arbor, MI 48105
Telephone: (734) 622-4047
Facsimile: (734) 622-1553

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/021,633	
	Filing Date	December 12, 2001	
	First Named Inventor	Booth et al.	
	Group Art Unit	1625	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	7	Attorney Docket Number	5822-P1-01-CA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Notification of Missing Requirements
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	Oath and Declaration
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	Return Postcard
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James Proscia, Reg. No. 47,010
Signature	<i>James Proscia</i>
Date	1/24/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 1/24/02		
Typed or printed name	Beth N. Gaines	
Signature	<i>Beth N. Gaines</i>	Date
		1/24/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Patent and Trademark Office, Washington, DC 20231.

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PTO/SB/17 (11-00)

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FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 130.00**Complete if Known**

Application Number	10/021,633
Filing Date	12/12/2001
First Named Inventor	Booth et al.
Examiner Name	1625
Group Art Unit	Not Yet Assigned
Attorney Docket No.	5822-P1-01-CA

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: 23-0455
- Deposit Account Name: Warner-Lambert Company
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☐ Payment Enclosed:
- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
5	-20** = 0	18.00	0.00
1	-3** = 0	80.00	0.00
Multiple Dependent		0.00	0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00**SUBMITTED BY**

Name (Print/Type) James Proscia

Registration No. 47,010
(Attorney/Agent)**Complete (if applicable)**

Telephone 734-622-4047

Signature

Date 01/24/2001

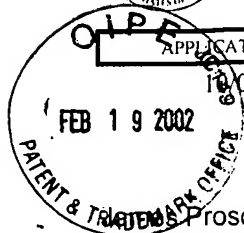
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#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
12,021,633	12/12/2001	Richard John Booth	5822-P1-01-JP

CONFIRMATION NO. 9641

FORMALITIES LETTER



OC00000007251131

Warner-Lambert Company
2800 Plymouth Road
Ann Arbor, MI 48105

Date Mailed: 01/02/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE